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Congress pitches Iranian questions: Casey at the bat

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The House and Senate intelligence committees are slated to quiz Reagan administration officials on United States arms shipments to Iran today, launching a full-bore Capitol Hill inquiry into how the White House makes foreign policy.

Both committees will hear from Central Intelligence Agency Director William J. Casey, who is expected to explain why President Reagan did not inform Congress of his dealings with Iran. In addition, committee members will go to the White House for briefings with national security adviser John Poindexter. Many members of both select committees still express anger over last week's revelations, and the President's Wednesday evening press conference did not placate them.

At the least, they say, he skirted the spirit of the law by using the National Security Council, which is not subject to congressional oversight, to execute the Iranian plan rather than the Central Intelligence Agency, which is required to notify congressional leader of its activities. They add that White House officials may have violated statutes requiring congressional notification about overseas arms shipments and covert intelligence activities.

"It goes to the fundamental question of congressional oversight of covert activities," says Sen. Sam Nunn (D) of Georgia, slated to be chairman of the Senate Armed Forces Committee in the next Congress. "Timely notice on the Iranian deal was not forthcoming; 18 months or 12 months was fundamentally a violation of the spirit if not the letter of the law."

Opposition to the administration's Iranian policy has stiffened the resolve of some lawmakers to subject the President's national-security adviser to congressional oversight - perhaps requiring Senate confirmation.

So far, the administration has refused to allow members of its National Security Council staff to appear before congressional committees, invoking executive privilege to protect the confidentiality of private delib-

erations among White House staff. The controversy could also rekindle demands for the establishment of a permanent joint congressional committee that would be kept apprised of all administration intelligence activities.

But lawmakers and intelligence committee staff members say all this will remain speculative until they can determine exactly what happened. "We won't know what they should have done until we know exactly what they did," said one Senate intelligence committee aide. Panel members say they will wait to hear from Mr. Casey before deciding whether more witnesses will be called.

The lawmakers are expected to look for possible White House violations of at least three statutes. One is the 1947 National Security Act, a section of which requires the President to keep the intelligence committees "fully and currently" apprised of all "intelligence activities" carried out by any intelligence agency.

In the case of the Iran affair, observers say that stipulation will have been met only if the administration argues that the arms shipments were not an "intelligence activity." Lawmakers will also study the administration's adherence to the Arms Export Control Act, which stipulates that the President notify Congress of every "letter of offer" to foreign governments of arms sales equal to or exceeding \$1 million. Conformity to the fiscal 1986 and 1987 intelligence authorization laws, which require the administration to inform Congress every time US intelligence agencies transfer more than \$1 million worth of foreign arms, will also be examined.